

Florida Keys National Marine Sanctuary Advisory Council
Final Minutes – February 19, 2002

Members Present

Wayne Blevins	Don Kincaid
Thomas Davidson	Nancy Klingener
Fran Decker	Duncan Mathewson
Todd Firm	Martin Moe
Richard Grathwohl	Ken Nedimyer
Debra Harrison	George Neugent
David Hawtof	Anita Schwessinger
Tony Iarocci	

Alternates Present

Greg DiDomenico
Bryant Diersing
Jerome Lorenz for Deborah Shaw
Sheila Mullins

Call to Order

Chairman Neugent called the meeting to order at 9:12 AM

Approval of Minutes/Adoption of Agenda

On motion by Wayne Blevins, seconded by Ken Nedimyer, the Minutes of the December 11, 2001 meeting were approved as presented. On motion by Tom Davidson, seconded by Richard Grathwohl, the agenda for today's meeting was adopted as presented.

Approval of Flip Chart Summary – 1/17/02 Meeting on Marine Mammal Strandings

After discussion between members and Sanctuary staff, Nancy Klingener moved approval of the flip chart summary. The motion was seconded by Todd Firm, with the revision "ensure that LOA holders immediately acquire and retain autonomy", the revised version to be signed by Dan Basta and forwarded by FedEx to Dr. Bill Hogarth.

Tides and Currents – H.T. Pontin

Mr. Pontin gave the attached presentation. He responded to questions concerning dredging.

Public Comment

Mr. H.T. Pontin entered the attached letters and documents into the record and requested that they be copied for the members of the Sanctuary Advisory Council. Mr. Causey gave a status update on a Freedom of Information Act request prompted by Mr. Pontin. Mr. Grathwohl observed that the Marathon Guides Association and Monroe County Commercial Fishermen felt that their concerns over State rights within their sovereign waters were addressed by Governor Chiles.

Chairman Neugent reported on the second annual meeting of Sanctuary Advisory Council Chairs and Coordinators held in Marathon at the Garden Club and thanked Ms. Cradick and Sanctuary staff for the successful outcome of the meeting.

Superintendent's Report – Billy Causey

Mr. Causey thanked the members of the Sanctuary Advisory Council, especially the Chairman, for the exemplary role which they play within the Sanctuary program, and in particular for the special effort involved in the marine mammal stranding meeting in January. He assured members that the Sanctuary is doing all that it can to ensure a positive outcome with the National Marine Fisheries Service.

Mr. Causey mentioned a panel presentation he participated in on marine reserves at a Communication Partnership for Science and the Sea (COMPASS) meeting in January, and noted that the implementation, with SAC support, of the Tortugas Ecological Reserve is still internationally recognized as pivotal in the acceptance of marine reserves. He also reported on the five year review of the management plan, following a meeting in the Keys of the management plan development team from NOAA headquarters, and said that the completion date is being moved forward to accommodate revisions.

Mr. Causey acknowledged with regret the retirement of Anna Marie Hartman after thirty years of service with the Department of Environmental Protection and wished her well.

Mr. Causey detailed the scope and route of the Sustainable Seas Expedition 2002 in the Gulf of Mexico region.

Mr. Causey reported he will be leaving today to attend a quarterly Leadership Team meeting of Sanctuary managers in Savannah. Following the Leadership Team meeting, he will be testifying before the President's Commission on Ocean Policy in Tampa, with David White of The Ocean Conservancy, on ecosystem management, highlighting the marine zoning concept that has been implemented in the Sanctuary.

Mr. Causey asked for Key West members of the Sanctuary Advisory Council to establish a Working Group on the topic of cruise ships and cruise ship impacts in Key West. After discussion concerning the composition of the group, Nancy Klingener agreed to serve as Chair, David Hawtof, Don Kincaid and Sheila Mullins agreed to serve as working group members. Chairman Neugent requested that membership be as inclusive as possible.

Sanctuary Enforcement Report - Lt. Bob Currul

Lt. Currul presented grounding statistics from both the annual report and the fiscal year report, observing that there were 667 groundings for the year, 191 cases written on groundings, 135 fishery violations and a total of 353 Sanctuary violations, with 177 violations on the State side. He mentioned four shrimping violations in the Tortugas Ecological Reserve cited by Officer Joe Scarpa.

Lt. Currul reported on a recent vessel grounding workshop that he tutored in Hawaii and Guam for the Pacific Basin Development Council, observing that both the biological

complexity and scale make restoration in the Pacific different to the situation in the Florida Keys.

Lt. Currul said that he is leaving the Florida Keys March 1 for a new posting in the Miami area. He introduced his interim replacement, Lt. Dave Roudebush. In addition to these personnel changes, he noted that a Captain's position has been advertised, as well as a First Lieutenant's boat position, one of which is to be filled by Lt. Joe Scarpa and that four new Academy graduates plus two other persons will be joining the staff. He also mentioned that three new boats are on order. He thanked members of the Sanctuary Advisory Council for the pleasure of working with them over the years.

Mr. Causey, Chairman Neugent and Ms. Klingener thanked Lt. Currul for his contributions to the Sanctuary and to the Sanctuary Advisory Council.

Florida Department of Environmental Protection – Fritz Wettstein

Mr. Wettstein thanked Lt. Currul for his role in integrating State and Federal law enforcement efforts, particularly with the grounding program.

He described Anna Marie Hartman's farewell reception and said that Danny Riley, who was the chief of the State Bureau of Sanctuaries and Reserves when the Sanctuary Act passed, is Acting Director until Deputy Secretary Bob Ballard appoints the new Director at the end of the current Florida legislative session.

Mr. Wettstein announced that a special event will be held March 2 at the World Wide Sportsman in Islamorada, in recognition of Seagrass Awareness Month, designated by Governor Bush, with guest of honor Jean-Michel Cousteau.

Mr. Wettstein described a collaboration between the State and commercial fishermen to facilitate trap clean-up in the off-season, using volunteer organizations to legally remove trap debris from SPAs and ecological reserves. Mr. Causey mentioned discussions with Roy Crabtree about redefining a trap at the close of season to enable removal without penalty. Mr. DiDomenico noted that the commercial fishing industry has asked for a \$25 endorsement to be added for trap clean-up but this is not likely to be granted in this legislative session.

Mr. Wettstein observed that the Boat Works at Snake Creek is being recognized by the Marine Industry's Association as the annual statewide Clean Marina, joining the Boca Chica Marina at NAS as one of 35 Clean Marinas in the State of Florida. He said that the No Discharge Zone regulations being promulgated by EPA will be published March 1 and become effective April 15. He announced that the Water Quality Protection Program Steering Committee is meeting on April 3 in the Middle Keys. He mentioned the participation of Sanctuary staff at an Ocean Day event organized by John Ogden of Florida Institute of Oceanography in Tallahassee to raise awareness among legislators about ocean resource protection issues, and that DEP is assembling a panel of agency specialists on oil spill contingency plans for the April 16 SAC meeting.

Mr. Wettstein addressed Mr. Grathwohl's request for information on the Tampa Bay acid spill with a press release from DEP, and added that Governor Bush has made a supplemental budget request for \$10 million to clean up defunct phosphate processing plants and that the Tampa Bay Management Committee has contingency plans for the upcoming storm season. In response to Mr. Blevin's question concerning the lobster trap retrieval program, Mr. Wettstein confirmed that \$40,000 is available this year through Mr. DiDomenico's organization.

Mr. DiDomenico commented on the recent distribution of checks to participating lobster fishermen negatively impacted by Hurricane Georges, noting that thanks to the hard work and persistence of a number of individuals, the fishermen are appreciative of the financial help.

Ms. Mullins asked Mr. Wettstein that shipping industry participants be included in the oil spill panel. Mr. Causey and Lt. Currul clarified the leading role played by the Coast Guard in oil spill response, as well as the mandatory financial responsibilities of the shipping industry in the event of a spill.

Introduction

Mr. Causey introduced Bryant Diersing as the alternate to the Education position on the Sanctuary Advisory Council.

Manatee Population Study – Consideration of Reassessing their Protective Status: John Hunt for Elsa Haubold, Research Administrator, Florida Marine Research Institute, FWCC

Mr. Hunt gave the attached Power Point presentation. Discussion was held concerning filament entanglement, red tides, power boat impacts, FWC criteria for reclassifying endangered species, census techniques – particularly aerial surveys and degree of protection provided by designation. Mr. Hunt recommended contacting manatee expert elsa.haubold@FWC.State.FL.US or searching for information at www.Floridamarine.org. He further explained the process by which any organization may come before the Fish and Wildlife Conservation Commission with a petition related to an endangered species. Upon request for a Sanctuary workshop on the manatee issue, as a Sanctuary resource, Mr. Causey and Mr. Hunt determined that it is not realistic until after FMRI's preliminary population status report is completed sometime in the fall of 2002.

Update on the Ballyhoo Fishery – John Hunt for Roy Crabtree, Director, Division of Marine Fisheries, FWCC

After describing ballyhoo life-history, Mr. Hunt gave the attached Power Point presentation, highlighting the central role played by Monroe County within the statewide ballyhoo fishery. He detailed proposals brought by the industry to the FWC in response to external pressures. Discussion followed regarding the nature of the ballyhoo industry, the number of fishers involved, limited entry, box limits, total quotas, recreational fishermen, sustainability, by-catch, fishing inside Sanctuary Preservation Areas, and vernacular reports of Florida Bay spawning aggregates. Mr. Hunt, after suggesting an endorsement fee of up to a thousand dollars, noted that agency resource allocation for

fishery studies tends to favor large fisheries. In response to Ms. Harrison's caveat about a relatively small industry becoming industrialized, Mr. Hunt suggested raising the profile of the issue with National Marine Fisheries Service. He recommended visiting www.floridaconservation.org for the contact details of all the relevant personnel. Further discussion centered on the structure and market-driven nature of the fishery, and the importance for limited entry to those currently employed within the industry in order to maintain sustainability. Mr. Iarocci emphasized that the nature of the ballyhoo fishery has changed in recent years, with a heavily capitalized fleet and processing component phasing into the traditional local industry. He observed that ballyhoo are not uniformly distributed and that conflicts between extractors are inevitable. Mr. Blevins requested that more information be provided the Council on the demise of the Palm Beach industry. Mr. Moe expressed interest in the ecological effects of removing a major source from the food chain. Chairman Neugent requested that Ms. Cradick convene panels from the industry and from the fisheries scientists for the next SAC meeting. Mr. Hunt stressed the importance of this meeting to the State.

Sponging Issue: Consideration of requesting ban on use of oils, other than fish oil, by the Sponging Industry – Debra Harrison and Richard Grathwohl

Mr. Grathwohl, commenting on recent rulings by the Florida Fish & Wildlife Conservation Commission (FWC) on the sponging industry, noted that there was no provision to address the use of non-fish oil, implying that contaminated vegetable oil as well as mineral oil will still be tolerated in taking sponges. Mr. Hunt circulated the Draft Rule and explained that staff took no regulatory action at the time as there is a perception that motor oil, for example, is already prohibited under a separate regulation, but that if the Sanctuary makes a resolution it will go back to the Commission. After discussion, Chairman Neugent recommended a letter be sent to the FWC re-emphasizing the position of the Sanctuary Advisory Council, verbally agreed to by the industry, on the exclusive use of fish oil in the harvesting of sponges. Mr. Hunt suggested that this letter include a request be made that it is added to the Draft Rule in the Final Public Hearing.

Items to be entered into the Record

Mr. Grathwohl asked that the new, trash-retentive receptacles deployed by the City of Marathon become a Keys-wide standard.

Announcements

Mr. Nedimyer regretted the passing of the wife of a former Sanctuary Advisory Council member, Bill Parks, and asked that a letter of condolence be sent to him on behalf of the Council.

Dr. Lorenz suggested that nothing be done to impede a population study of manatees, based on good sound research, regardless of the impetus for the study.

Mr. Moe announced that Mr. Nedimyer is giving a presentation on their joint Diadema restoration project at the John Pennekamp State Park lecture series February 20 at 7:00 p.m.

Items for April Agenda

- Ballyhoo
- Update on Carrying Capacity Study
- Oil Spill Contingency Plans
- Update on five year management plan review
- Update on NMFS response to SAC marine mammal stranding proposals

The meeting was adjourned at 12:36 PM

Next Meeting

April 16, 2002 at the Marathon Garden Club

Submitted by

Fiona Wilmot

Approved April 16, 2002